



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TADASHI HAYASHI

Application No.: 10/812,878

Filed: March 31, 2004

For: MANIPULATOR

)
: Examiner: E.O. Okezie
)
: Group Art Unit: 3652
)
:
)
:
)
: December 7, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION OF SPECIES
REQUIREMENT AND PETITION FOR EXTENSION OF TIME

Sir:

Applicant petitions to extend the time for response to the Office Action dated October 7, 2005, for one month from November 7, 2005 to December 7, 2005. A check in the amount of \$120.00 for payment of the extension fee is enclosed. Please charge any additional fee required for the extension, and credit any overpayment, to Deposit Account 06-1205.

The Office Action sets forth an election of species identifying 6 allegedly distinct species of the claimed invention.

Applicant respectfully requests reconsideration and withdrawal of the election of species requirement.

A careful review of the specification reveals that the various embodiments of Applicant's invention are closely related and would not require such a different search so as to overburden the Examiner. Accordingly, neither the Applicant nor the Patent and Trademark

Office should be put to the trouble and expense entailed in multiple filing and prosecution. Moreover, it is respectfully submitted that the public at large should not be required to obtain and study several separate patent documents in order to have available all of the issued patent claims covering the invention. The making of an election of species is not mandatory in all instances where it is possible to do so. Rather, the Examiner may use discretion and choose not to make an election of species where circumstances warrant. It is submitted that such is the case in the instant application.

Nevertheless, pursuant to the provisions of M.P.E.P. §809.2(a), Applicant hereby elects to prosecute Species III corresponding to Figures 10 to 12B. It is submitted that at least Claims 1-3, 5, 7, 9 and 12 read on the elected species.

Due consideration and prompt passage to issue are respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Scott D. Malpede
Attorney for Applicant
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
SDM:mm